

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-11722-GAO

LAWRENCE WATSON,
Petitioner,

v.

MARTHA COAKLEY and EDWARD DOLAN,
Respondents.

ORDER
February 10, 2014

O'TOOLE, D.J.

Lawrence Watson brings a pro se petition under 28 U.S.C. § 2254 to challenge: an abuse prevention order entered against him by the Suffolk Probate and Family Court, a judgment by the Boston Municipal Court that he violated the order, the imposition of certain conditions of visitation imposed by the Probate and Family Court, and a finding of contempt for his failure to pay child support.

In order to bring a § 2254 petition, the petitioner must be “in custody” at the time the petition is filed. See 28 U.S.C. § 2254; accord United States v. Michaud, 901 F.2d 5, 6-7 (1st Cir. 1990) (citing Maleng v. Cook, 490 U.S. 488, 491-92 (1989)). Watson claims that the prior court orders are restraints on his rights, citing present difficulties arising from the imposition of the abuse prevention order and child support payment obligations. But such “collateral consequences . . . are not themselves sufficient to render an individual ‘in custody’ for purposes of a habeas attack” Maleng v. Cook, 490 U.S. at 491.

Therefore, the petitioner is not entitled to relief under § 2254. His Petition (dkt. no. 1) for Writ of Habeas Corpus is DENIED.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge